

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
October 26, 2004
7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01p.m., Tuesday, October 26, 2004, in the Board Room, York Hall, by Chairman Thomas G. Shepperd, Jr.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

Invocation. Reverend Joe E. Parrish, Jr., Seaford Church of Christ, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Shepperd led the Pledge of Allegiance.

HIGHWAY MATTERS

Mr. David Steele, Resident Engineer, Virginia Department of Transportation (VDOT), appeared to discuss highway matters of concern to the Board. He reported he had met with residents of the Queens Lake subdivision and is working with traffic engineering to make Queens Drive as safe as possible. VDOT is working with a contractor to coordinate the asphalt, line stripes, reflectors, delineators, and rumble strips. He stated he hopes to have the road open by mid-November. Mr. Steele stated the drainage list had not improved, but he is working with maintenance staff in improving response to those problems. He mentioned the traffic safety concerns from Lotz Acres residents, and the possibility of double-lining Polaris Drive and Heavens Way. VDOT will install a stop sign at that intersection to help with traffic calming measures. He stated the signals along Victory Boulevard and the Route 17 corridor need improving, and the traffic safety department is looking into that along with the synchronization of the traffic signals. Mr. Steele stated VDOT is also checking the area for potholes.

Mrs. Noll stated she attended a meeting with the Virginia Municipal League and the Virginia Association for Counties to discuss traffic strategies. She noted the cumbersome problems of utilizing federal funds to supplement state funds on some of the projects, and she asked Mr. Steele to discuss the possible impacts.

Mr. Steele indicated that VDOT's primary function is maintenance of the roadways, and he explained that as the cost for the maintenance of roadways continues to go up, the revenues are not growing to keep up with the rate of inflation. He stated this has a big impact on the department's ability to keep up with the work.

Mr. Bowman thanked Mr. Steele for the striping on York Point Road, and he asked for an update on paving the remainder of Seaford Road. He also asked about drainage ditch maintenance in the Dandy area, specifically on Dandy Loop Road. He mentioned concerns over the sharp curve and speeding that occurs on Wildey Road and asked Mr. Steele to look into those concerns.

Mr. Steele stated several areas of the County have not been paved due to the installation of utilities. He stated he would check and see if that is the case for Seaford Road and also look into the drainage problems in the Dandy area.

Mr. Burgett suggested that VDOT look into installing a stoplight at the dangerous intersection of Lakeside Drive and Dare Road. He also reported a dead tree on Railway Road that may be in VDOT's easement and noted that the new directional arrows on Fort Eustis Boulevard were incorrect.

Mr. Zarembo thanked Mr. Steele for completing the hurricane-damaged East Queens Drive and for the permanent repairs of potholes in the Queens Lake area.

Chairman Shepperd also thanked Mr. Steele for his quick response to the Tabb Meadows and Lotz Acres projects. He acknowledged there were more issues to be addressed, and he would await Mr. Steele's response. He noted some of the drainage ditch support was tied to the Moore's Creek project, and there are outstanding simple drainage issues to be addressed.

PRESENTATIONS

PROPOSED MERGER OF ECONOMIC DEVELOPMENT ENTITIES

Mr. Robert Yancey, former Chairman of the Peninsula Alliance for Economic Development, (PAED), began his presentation by thanking the County for its long-term commitment to the Alliance. He explained the purpose of the Alliance is to market the region and bring in employers and companies to the area which will increase the tax base and provide good, quality paying jobs. He explained how the merger of the Peninsula and Hampton Roads Alliances would stop the needless competition between the Peninsula and Southside and allow the focus to be on attracting businesses to the region. He stated each city and county within the Alliance is being surveyed to determine approval of the project. He acknowledged some of the objections heard throughout the region and noted that the localities of Newport News, Gloucester, James City County, Williamsburg, and Hampton had expressed support for the merger.

Mr. Burgett expressed concern about small businesses on the Peninsula paying the \$5,000 fee required and having the Alliance headquartered on the Southside.

Mr. Alan Witt, PAED Board Member, appeared to explain the benefits of the proposed merger. He stated the communities have a responsibility to create future economic development as well as enjoy the benefits of a larger tax base.

Mr. Bowman questioned the taxpayer money and the contributions being made. He asked for the specific amount paid, how often the contribution is made, and the benefit of the contribution to the localities.

Discussion ensued regarding economic development and the benefits of the proposed merger.

CITIZENS COMMENT PERIOD

No one appeared to speak before the Board at this time.

Meeting Recessed: At 7:57 p.m. Chairman Shepperd declared a short recess.

Meeting Reconvened. At 8:04 p.m. the meeting was reconvened in open session by order of the Chair.

PUBLIC HEARINGS

APPLICATION NO. UP-643-04, THOMAS C. AND REBECCA J. WATERS

Mr. Carter gave a presentation on proposed Application No. UP-643-04 to approve a use permit authorizing a detached accessory apartment at 300 Railway Road. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R04-144.

Chairman Shepperd called to order a public hearing on Application UP-643-04 which was duly advertised as required by law. Proposed Resolution R04-144 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A DETACHED ACCESSORY APARTMENT AT 300 RAILWAY ROAD

There being no one present who wished to speak concerning the subject application, Chairman Shepperd closed the public hearing.

Mr. Bowman then moved the adoption of proposed Resolution R04-144 which reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AU-
THORIZE A DETACHED ACCESSORY APARTMENT AT 300 RAIL-
WAY ROAD

WHEREAS, Thomas C. and Rebecca J. Waters have submitted Application No. UP-643-04 to request a Special Use Permit, pursuant to Section 24.1-407(b) of the York County Zoning Ordinance, to authorize a detached accessory apartment in conjunction with a single-family detached dwelling to be constructed on property located at 300 Railway Road and further identified as Assessor's Parcel No. 25-35-G1; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has given careful consideration to the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 26th day of October, 2004, that Application No. UP-643-04 be, and is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-407(b) of the York County Zoning Ordinance, to allow a detached accessory apartment in conjunction with a single-family detached dwelling to be contained within an existing two-story garage on property located at 300 Railway Road and identified as Assessor's Parcel No. 25-35-G1, subject to the following conditions:

1. This use permit shall authorize a detached accessory apartment in conjunction with a single-family detached dwelling on the second floor of an existing two-story detached garage on property located at 300 Railway Road and further identified as Assessor's Parcel No. 25-35-G1.
2. The apartment shall be contained within the existing structure located at the southwest corner of the subject property as indicated on the plat submitted by the applicant titled "Plat of the Property of Thomas C & Rebecca J. Waters, Parcel G-1 of resubdivision of parcel G of parcel G 8, parcel H, R.F. Presson, estate and W.M. Presson Estate," dated March 6, 1987, prepared by Becouvarakis and Associates, Land Surveying and received by the Planning Division on July 28, 2004. Building plans in substantial conformance with the floor plans submitted by the applicant and received by the Planning Division on July 28, 2004 shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Building Regulation, prior to the issuance of a building permit for the accessory apartment.
3. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
4. Habitable floor area of the accessory apartment unit shall not contain in excess of 648 square feet.
5. The accessory apartment unit shall contain no more than one (1) bedroom.
6. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be compatible with the character of the single-family residence and adjacent properties.
7. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling.

8. Any new impervious cover shall be in compliance with Section 24.1-372 of the County Zoning Ordinance.
9. In accordance with Section 24.1-407(k) of the County Zoning Ordinance, prior to issuance of a building permit for the accessory apartment, the applicant shall be responsible for recording a deed restriction document with the Clerk of the Circuit Court stipulating that the subject accessory apartment will be used, occupied and maintained in accordance with standards and restrictions set forth in Section 24.1-407 of said Ordinance. A Court-certified copy of the document shall be submitted to the County at the time of building permit application.
10. Issuance of this Special Use Permit does not supersede any legally recorded restrictive covenants that may apply to the subject property, nor does it relieve the applicant and/or property owner of any obligation to secure approvals that may be required by a homeowners' association in accordance with said covenants.
11. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Bowman, Burgett, Shepperd
 Nay: (0)

APPLICATION NO. UP-644-04, J&K HEATING and COOLING, KENNETH M. AND LINDA J. MCINTYRE

Mr. Carter gave a presentation on proposed Application UP-644-04 to approve a use permit authorizing an outdoor storage yard associated with a contractor's shop/office at 7815 George Washington Memorial Highway. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R04-145.

Chairman Shepperd called to order a public hearing on Application UP-644-04 which was duly advertised as required by law. Proposed Resolution R04-145 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE AN OUTDOOR STORAGE YARD ASSOCIATED WITH A CONTRACTOR'S SHOP/OFFICE AT 7815 GEORGE WASHINGTON MEMORIAL HIGHWAY

There being no one present who wished to speak concerning the subject application, Chairman Shepperd closed the public hearing.

Mr. Burgett then moved the adoption of proposed Resolution R04-145 which reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE AN OUTDOOR STORAGE YARD ASSOCIATED WITH A CONTRACTOR'S SHOP/OFFICE AT 7815 GEORGE WASHINGTON MEMORIAL HIGHWAY

WHEREAS, Kenneth M. and Linda J. McIntyre have submitted Application No. UP-644-04, which requests a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance to authorize an outdoor storage yard associated with a contractor's shop/office on a 1.15-acre parcel of land located at 7815 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-89; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has given careful consideration to the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 26th day of October, 2004, that Application No. UP-644-04 be, and is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance to authorize an outdoor storage yard associated with a contractor's shop/office on a 1.15-acre parcel of land located at 7815 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-89; subject to the following conditions:

1. This use permit shall authorize a 5,000-square foot outdoor storage yard associated with a contractor's shop/office on a 1.15-acre parcel of land located at 7815 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-89.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the County prior to the establishment of the proposed contractor's outdoor storage yard. Said site plan shall be in substantial conformance with the sketch plan submitted by the applicant titled "J&K Heating & Cooling," dated June 20, 2004, prepared by Davis & Associates, PC and received by the Planning Division on July 29, 2004, except as modified herein or as may be necessary to comply with site plan review requirements.
3. The outside storage area shall be located within the rear yard of the parcel, and shall be screened with six to eight-foot high opaque fencing constructed of materials as approved by the Zoning Administrator. Pursuant to Section 24.1-486, evergreen trees shall be installed for screening to augment the proposed fencing and shall be installed with a planting spacing of no more than 10 (ten) feet on center. Plantings within the northern landscape yard in the area abutting the existing hotel building shall be evergreen species and shall be installed with a planting spacing of no more than 10 (ten) feet on center.
4. Contractor's equipment and materials (excluding vehicles) kept within the storage area shall not exceed the height of the surrounding fencing.
5. In accordance with the Building Officials Code of America; National Fire Prevention Code, contractor's materials stored outside shall not be stored closer than 15 feet from any lot line or building on the property.
6. Materials stored outside on the property shall be limited to those associated with a heating and cooling contractor's business, and shall not include junk, solid waste, construction debris or hazardous waste as defined in Chapter 19, Section 19.1 and/or Chapter 24, Section 24.1-104 of the County Code.
7. Vehicles stored on the property shall be limited to light-duty cars, trucks and vans associated with the proposed heating and cooling contractor's business, and shall not include heavy construction equipment or vehicles.
8. The front façade of the building shall be constructed utilizing brick, split-faced block, dryvit or other simulated stucco (EIFS), preformed simulated brick or architectural block panels and wood or synthetic clapboard siding.
9. Freestanding signage shall be monument style and shall be constructed of materials that coordinate with the front façade of the proposed building.
10. Existing trees and shrubs on the property shall be maintained to the maximum extent possible. Proposed clearing limits shall be delineated for preservation on the site plan required pursuant to Condition #2 above.

11. All site lighting shall be designed with full cutoff fixtures and directed downward to prevent off-site glare on to abutting properties and the road right-of-way. Illumination levels shall not exceed 0.5 foot-candle at any property line. All lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). Freestanding lighting fixtures shall be fitted with high-pressure sodium lamps. A photometric plan detailing all proposed fixtures and ground illumination levels shall be submitted for approval at time of application for site plan approval.

In accordance with Section 24.1-115(b)(6) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Zaremba, Shepperd
Nay: (0)

APPLICATION NO. UP-645-04, RODNEY AND CRYSTAL BOYD

Mr. Carter gave a presentation on proposed Application UP-645-04 to approve a use permit authorizing a beauty shop as a home occupation at 406 Grafton District Road. He explained that the applicant had two other home occupation permits in the structure for office use and that they operate two other businesses. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R04-146.

Mrs. Noll asked how many home businesses are allowed on one piece of property.

Mr. Carter explained there are no limits specified in the ordinance.

Ms. Crystal Boyd, the applicant, appeared to answer any of the Board's questions and to further explain the current businesses owned by her and her husband.

Chairman Shepperd called to order a public hearing on Application UP-645-04 which was duly advertised as required by law. Proposed Resolution R04-146 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A BEAUTY SHOP AS A HOME OCCUPATION AT 406 GRAFTON DISTRICT ROAD

There being no one present who wished to speak concerning the subject application, Chairman Shepperd closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R04-146 which reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A BEAUTY SHOP AS A HOME OCCUPATION AT 406 GRAFTON DISTRICT ROAD

WHEREAS, Rodney and Crystal Boyd have submitted Application No. UP-645-04 requesting a Special Use Permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize a beauty shop as a home occupation within a single-family detached dwelling on a 0.47-acre parcel of land located at 406 Grafton District Road (Route 1209) and further identified as Assessor's Parcel No. 24J-08-F-38; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has given careful consideration to the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 26th day of October, 2004, that Application No. UP-645-04 be, and is hereby, approved to authorize a Special Use Permit, to authorize a beauty shop as a home occupation within a single-family detached dwelling at 406 Grafton District Road and further identified as Assessor's Parcel No. 24J-08-F-38, the following conditions:

1. This use permit shall authorize the establishment of a one (1)-chair beauty shop as a home occupation within a single-family detached dwelling on a 0.47-acre parcel of land located at 406 Grafton District Road and further identified as Assessor's Parcel No. 24J-08-F-38.
2. The conduct of such home occupation shall be limited to approximately 215 square feet, which is shown on the house survey sketch plan filed with the application.
3. The home occupation shall be conducted in accordance with the provisions of Sections 24.1-281 and 24.1-283(b) of the York County Zoning Ordinance, except as modified herein.
4. No person other than individuals residing on the premises shall be engaged on the premises in the home occupation.
5. The days and hours of operation shall be limited to no more than three days per week from 9:00 AM to 8:00 PM by appointment only.
6. No more than one (1) customer at any one time shall be served within the applicant's home.
7. Retail sales on the premises shall be limited to incidental sales of shampoo and other hair care products.
8. No signs or other forms of on-premises advertisement or business identification visible from outside the home shall be permitted.
9. In accordance with the terms of the Zoning Ordinance, a minimum of two (2) off-street parking spaces shall be provided on the premises to accommodate customers. These spaces shall be in addition to the two (2) spaces that are otherwise required for the single-family residence.
10. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (5) Bowman, Burgett, Zaremba, Noll, Shepperd
Nay: (0)

AMENDMENT TO YORK COUNTY CODE: PARKING PROHIBITION

Mr. Carter gave a presentation on proposed Ordinance No. 04-24 to amend Section 15-48 of the York County Code to add certain subdivisions to the list of specific areas where parking of certain classifications of commercial, recreational, and passenger carrying vehicles on public streets is prohibited.

Chairman Shepperd called to order a public hearing on Ordinance No. 04-24 which was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND SECTION 15-48, PARKING PROHIBITED OR RESTRICTED IN SPECIFIC PLACES, OF THE YORK COUNTY CODE, TO ADD THE COVENTRY, GREENLANDS, LAKESIDE FOREST, MEADOWLAKE FARMS, WOOD TOWNE QUARTERS, AND WYTHE CREEK FARMS SUBDIVISIONS TO THE LIST OF SPECIFIC AREAS WHERE THE PARKING OF COMMERCIAL, RECREATIONAL AND PASSENGER-CARRYING VEHICLES ON PUBLIC STREETS IS PROHIBITED, AND TO AMEND SECTION 15-48 TO REFLECT THE RECENT CHANGES IN THE CODE OF VIRGINIA CONCERNING ESTABLISHMENT OF SUCH RESTRICTIONS WITHOUT THE NEED FOR APPROVAL BY THE COMMONWEALTH TRANSPORTATION BOARD

There being no one present who wished to speak concerning the subject ordinance, Chairman Shepperd closed the public hearing.

Mrs. Noll then moved the adoption of proposed Ordinance No. 04-24 which reads:

AN ORDINANCE TO AMEND SECTION 15-48, PARKING PROHIBITED OR RESTRICTED IN SPECIFIC PLACES, OF THE YORK COUNTY CODE, TO ADD THE COVENTRY, GREENLANDS, LAKESIDE FOREST, MEADOWLAKE FARMS, WOOD TOWNE QUARTERS, AND WYTHE CREEK FARMS SUBDIVISIONS TO THE LIST OF SPECIFIC AREAS WHERE THE PARKING OF COMMERCIAL, RECREATIONAL AND PASSENGER-CARRYING VEHICLES ON PUBLIC STREETS IS PROHIBITED, AND TO AMEND SECTION 15-48 TO REFLECT THE RECENT CHANGES IN THE CODE OF VIRGINIA CONCERNING ESTABLISHMENT OF SUCH RESTRICTIONS WITHOUT THE NEED FOR APPROVAL BY THE COMMONWEALTH TRANSPORTATION BOARD

WHEREAS, the York County Board of Supervisors has determined that the parking of large vehicles along residentially oriented streets, other than for temporary periods to allow deliveries, may present safety hazards for other vehicles and for pedestrians, may create noise that disrupts the peace and tranquility of residential areas, and may contribute to premature failure of road surfaces designed to accommodate primarily passenger vehicles; and

WHEREAS, pursuant to Section 46.2-1222 of the Code of Virginia, the Board has adopted an ordinance that prohibits the parking of certain classifications of vehicles on certain secondary system highways in designated areas of the County; and

WHEREAS, pursuant to requests made by the homeowners associations of certain residential areas, and the investigation of the streets and parking characteristics of those areas, the Board has determined that it would be appropriate and desirable to add six (6) neighborhoods to the list of areas subject to the special parking restrictions;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this 26th day of October, 2004, that Section 15-48 of Chapter 15, Motor Vehicles and Traffic, York County Code, be and it is hereby amended as follows:

Sec. 15-48. Parking prohibited or restricted in specified places.

(c) *Parking of certain classifications of vehicles in certain designated areas*

- (1) Statement of Intent: The purpose of the following regulations is to define certain classifications of vehicles and to identify those areas where it is necessary to prohibit the parking of such classified vehicles in order to enhance pedestrian and vehicular safety, protect and preserve the public investment in such streets

that are designed primarily for residentially-related traffic, and to protect and preserve the character of residential areas.

(2) Classification of Vehicles: For the purposes of this subsection, the classification of vehicles shall be as follows:

a. Commercial Vehicle:

1. Any vehicle with a gross vehicle weight of ten thousand (10,000) pounds or more, or a length of 21 feet or more, including trailers or other attachments;
2. Any vehicle, regardless of size, used in the transportation of hazardous materials as defined in section 103 of the federal Hazardous Materials Transportation Act (49 C.F.R. Part 172, Subpart F);
3. Any heavy construction equipment, whether located on the street or on a truck, trailer or semi-trailer;
4. Any solid waste collection vehicle, tractor truck or tractor truck/semi-trailer or tractor/truck combination, dump truck, concrete mixer truck, or towing or recovery vehicle;
5. Any trailer, semi-trailer or other vehicle in which food or beverages are stored or sold

b. Passenger Carrying Vehicle

1. Any vehicle designed to carry sixteen (16) or more passengers, including the driver.
2. Any vehicle licensed by this Commonwealth for use as a common or contract carrier or as a limousine.

c. Recreational Vehicle

A device, whether or not self-propelled, designed or used for transporting persons or property for or in connection with recreation, as distinguished from mere transportation, having a gross vehicle weight of ten thousand (10,000) pounds or more, or a length of 21 feet or more, including trailers or other attachments, and including such things as motor homes, travel trailers, campers, boats and boat trailers.

(3) Designation of Specific Vehicle Classifications and Areas Subject to Restriction

No person shall park any commercial vehicle, passenger-carrying vehicle, or recreational vehicle (all as defined herein) on any road, highway or street within the state secondary system of highways in any of those areas or subdivisions in the County as described below. In the case of subdivisions, the areas governed by this subsection shall be those areas commonly known by the names listed below and designated on the plats of subdivision recorded in the clerk's office of the circuit court of the county. Such restrictions shall have no application to any privately owned street, or any street owned by a property owners association within the listed areas. In the event a street serves as the dividing line between a residential and commercial zoning district, the parking restrictions shall apply only on the residentially-zoned side of the street.

a. Skimino Farms subdivision, all sections.

b. Greensprings vicinity being further described as the area bounded by Bypass Road on the south, Waller Mill Road on the west, Carrs Hill Road on the north, and Route 132 on the east.

- c. Penniman Road/Government Road/Hubbard Lane vicinity being further described as the area bounded by Government Road and Penniman Road on the south and southwest, the Williamsburg city line on the west and northwest, the Colonial Parkway on the north, and Interstate 64 on the northeast and southeast, including, but not limited to, all sections of the Queenswood, Charleston Heights, Springfield Terrace, Nelson Park, York Terrace, Magruder Woods, Bruton Glen, Penniman East, Penniman Woods, Queens Creek Estates, and Middletown Farms subdivisions.
 - d. Carver Gardens
 - e. Yorktown, being further described as the area bounded by the York River on the northeast, the United States Coast Guard Reserve Training Center on the east, Route 238 and the Colonial Parkway on the southwest, and Yorktown Creek on the west.
 - f. York Crossing.
 - g. Glen Laurel
 - h. Yorkshire Park
 - i. Heritage Hamlet
 - j. Plantation Acres
 - k. Bethany Terrace
 - l. Grafton Woods
 - m. Sommerville
 - n. Villages of Kiln Creek
 - o. Williamsburg Bluffs
 - p. Breezy Point
 - q. Woodlake Crossing
 - r. Mill Crossing
 - s. The Homestead
 - t. Yorkshire Downs
 - u. Coventry
 - v. The Greenlands
 - w. Meadowlake Farms (aka – Heatherlea)
 - x. Wythe Creek Farms
 - y. Lakeside Forest
 - z. Wood Towne Quarters
- (4) Procedures for Consideration and Establishment of Classifications and Area Designations:

- a. The determination of streets and areas to be subject to such parking restrictions shall be based on characteristics including, but not necessarily limited to:
 - 1. location within a residential zoning classification. If the center-line of the subject street is a zoning district boundary line, the parking restriction shall apply only on the residentially -zoned side;
 - 2. density of development, with primary focus on residential subdivisions with a typical lot size of acre or less;
 - 3. predominant lot width and street frontage characteristics, with primary focus on subdivision settings where typical lot widths are 150 feet or less;
 - 4. location-specific safety issues including, but not limited to, considerations of traffic volumes, street surface width, sight distance, and use characteristics;
 - 5. documentation or determination of inappropriate parking of classified vehicles or the potential for such parking to occur.
 - b. Subsequent to this preliminary review and consideration, the Board will determine whether an amendment to this ordinance designating additional streets and areas should be formally considered and, if so, it shall be advertised for public hearing by the Board in accordance with the advertisement and public notice requirements for County Code amendments, as set forth in the Code of Virginia. In addition to the standard legal advertisements, the Board's intention to consider such restrictions will be advertised on the County's government access cable channel and through such other media opportunities as the Board and County Administrator determine appropriate.
 - c. Concurrently with the advertisement of the proposed ordinance amendment for public hearing, the Board will transmit a copy of the proposal to the Virginia Department of Transportation Resident Engineer. The County staff will coordinate with the Resident Engineer to ensure communication of any VDOT concerns or considerations to the Board for its review. Among other considerations, the Resident Engineer will be asked to review the potential for such restrictions to shift commercial vehicle parking to Primary routes or to other portions of Secondary routes where more serious traffic safety problems might be created.
 - d. The County Administrator shall ensure the fabrication and posting of all such signs as are necessary to inform the public of the restrictions that apply to the subject streets and the subsequent maintenance of such signs and the prompt repair, removal and / or replacement of any signs that are damaged or destroyed.
- (d) *Application.* The prohibitions and restrictions set forth in this section shall have no application when a vehicle is parked or stopped in compliance with the order of a law enforcement officer or a traffic control device, or during a permitted period of time in officially-designated parking areas, or in case of vehicular breakdown, or in an emergency which renders it necessary. Moreover, the prohibitions and restrictions contained in subsection (c) of this section shall have no application to any vehicle while such vehicle is in actual use for loading or unloading or while actually engaged in the provision of goods or services.
- (e) *Posting of signs.* The county administrator shall cause "No Parking" and "1-Hour Parking" signs to be posted in the subject areas. Such signs shall comply with all applicable standards and specifications as set forth in the Manual of Uniform Traffic Control De-

vices (MUTCD) and the specifications that the County intends to use shall be coordinated with and approved by the Resident Engineer prior to fabrication. The County shall secure such permits as may be necessary for its personnel to work within and install the signs in VDOT rights-of-way.

- (f) *Application of sections 15-43 through 15-45.* The provisions of sections 15- 43, 15-44 and 15-45 of this Code shall apply in the enforcement of this section.
- (g) *Penalty for violation.* Any person who violates any provision of this section shall be guilty of a traffic infraction and punished as provided in section 15-2 of this Code.

On roll call the vote was:

Yea: (5) Burgett, Zaremba, Noll, Bowman, Shepperd
 Nay: (0)

CHILD DEVELOPMENT RESOURCES LEASE AGREEMENT

Mr. McReynolds gave a presentation on proposed Resolution R04-142 to authorize the execution of a lease agreement with Child Development Resources for office space in the Griffin-Yeates Center.

Chairman Shepperd called to order a public hearing on Resolution R04-142 which was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
 TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOPMENT
 RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION,
 FOR OFFICE SPACE IN THE GRIFFIN-YEATES CENTER
 BUILDING LOCATED ON GOVERNMENT ROAD

There being no one present who wished to speak concerning the subject resolution, Chairman Shepperd closed the public hearing.

Mr. Zaremba then moved the adoption of proposed Resolution R04-142 which reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
 TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOPMENT
 RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION,
 FOR OFFICE SPACE IN THE GRIFFIN-YEATES CENTER
 BUILDING LOCATED ON GOVERNMENT ROAD

WHEREAS, Child Development Resources, Inc., a nonprofit Virginia Corporation, operates the First Steps program whose purpose is to provide an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens and which is located in the Griffin-Yeates Center on Government Road; and

WHEREAS, Child Development Resources, Inc., has been implementing a federal grant that provides Early Head Start home based services to parents of infants and toddlers and has asked to rent an office with approximately 200 square feet also located within the Griffin-Yeates Center on Government Road to serve as a base of operations for personnel involved in the implementation of that grant; and

WHEREAS, the County desires to make available approximately 200 square feet of office space between Room 6 and Room 10 within the Griffin-Yeates Center located at 1490 Government Road, which is a building owned by the County of York, by the execution of a Lease Agreement for a term of one year with Child Development Resources, Inc.; and

WHEREAS, charges for that space shall be at a rate of \$9.00 per square foot per year with the proceeds from such rental to be dedicated to the County Children's Food Services

program; and

WHEREAS, a public hearing on the proposed Lease Agreement, as required under the Code of Virginia, has been properly advertised and conducted on October 26, 2004;

NOW, THEREFORE BE IT RESOLVED by the York County Board of Supervisors this the 26th day of October, 2004, that the County Administrator be, and he is hereby, authorized to execute a Lease Agreement with Child Development Resources, Inc. for approximately two hundred (200) square feet of office space between Room 6 and Room 10 within the Griffin-Yeates Center, for a term commencing November 1, 2004 and ending October 31, 2005, and in consideration of the sum of nine dollars (\$9.00) per square foot per year.

BE IT FURTHER RESOLVED that proceeds from such rental shall be dedicated to the County Children's Food Service program.

On roll call the vote was:

Yea:	(5)	Zaremba, Noll, Bowman, Burgett, Shepperd
Nay:	(0)	

CONVEYANCE OF DEED OF EASEMENT: EMERGENCY COMMUNICATIONS CENTER

Mr. Barnett gave a presentation on proposed Resolution R04-149 to authorize the execution of an easement deed conveying a water pipeline easement to the City of Newport News for the supply of public water to the Emergency Communications Center building at 103 County Drive.

Chairman Shepperd called to order a public hearing on Resolution R04-149 which was duly advertised as required by law and is entitled:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN EASEMENT DEED CONVEYING A WATER PIPELINE EASEMENT TO THE CITY OF NEWPORT NEWS FOR THE SUPPLY OF PUBLIC WATER TO THE EMERGENCY COMMUNICATIONS CENTER BUILDING BEING CONSTRUCTED BY YORK COUNTY AT 103 COUNTY DRIVE

There being no one present who wished to speak concerning the subject resolution, Chairman Shepperd closed the public hearing.

Mr. Burgett then moved the adoption of proposed Resolution R04-149 which reads:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN EASEMENT DEED CONVEYING A WATER PIPELINE EASEMENT TO THE CITY OF NEWPORT NEWS FOR THE SUPPLY OF PUBLIC WATER TO THE EMERGENCY COMMUNICATIONS CENTER BUILDING BEING CONSTRUCTED BY YORK COUNTY AT 103 COUNTY DRIVE

WHEREAS, the County is the owner of certain property at 103 County Drive, upon which is being constructed an Emergency Communications Center, and in connection therewith a waterline must be installed and connected to the public water system owned by the City of Newport News, Department of Waterworks; and

WHEREAS, in connection with such pipeline, the County has been requested to convey to the City of Newport News a 10' wide waterline easement; and

WHEREAS, following the holding of a duly advertised public hearing, this Board has determined that it is in the public interest to convey such an easement to the City of Newport

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News.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 26th day of October, 2004, that the County Administrator is authorized to execute a deed or deeds, approved as to form by the County Attorney, conveying to the City of Newport News a 10' wide waterline easement, the location and dimensions of which are more particularly described in the memorandum dated September 22, 2004, from the County Attorney to the Board of Supervisors. The County Administrator is further authorized to take such actions as may be necessary to have the deed recorded among the land records of York County.

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Zaremba, Shepperd
Nay: (0)

FORT EUSTIS BOULEVARD EXTENSION – RIGHT-OF-WAY ACQUISITION

Mr. Carter gave a presentation on proposed Resolution R04-151 to authorize the sale to the Commonwealth of Virginia of approximately 1.56 acres of land located approximately 800 feet east of the intersection of Route 17 and Fort Eustis Boulevard for the extension of Fort Eustis Boulevard.

Chairman Shepperd called to order a public hearing on Resolution R04-151 which was duly advertised as required by law and is entitled:

A RESOLUTION AUTHORIZING THE SALE TO THE COMMONWEALTH OF VIRGINIA OF APPROXIMATELY 1.56 ACRES OF LAND, COMPRISED OF TWO PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NOS. 24-74A AND 74B, LOCATED APPROXIMATELY 800 FEET EAST OF THE INTERSECTION OF ROUTE 17 AND FORT EUSTIS BOULEVARD, SAID PARCELS HAVING BEEN IDENTIFIED AS NECESSARY FOR THE EXTENSION OF FORT EUSTIS BOULEVARD (ROUTE 1050) BEING UNDERTAKEN BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION

There being no one present who wished to speak concerning the subject resolution, Chairman Shepperd closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R04-151 which reads:

A RESOLUTION AUTHORIZING THE SALE TO THE COMMONWEALTH OF VIRGINIA OF APPROXIMATELY 1.56 ACRES OF LAND, COMPRISED OF TWO PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NOS. 24-74A AND 74B, LOCATED APPROXIMATELY 800 FEET EAST OF THE INTERSECTION OF ROUTE 17 AND FORT EUSTIS BOULEVARD, SAID PARCELS HAVING BEEN IDENTIFIED AS NECESSARY FOR THE EXTENSION OF FORT EUSTIS BOULEVARD (ROUTE 1050) BEING UNDERTAKEN BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Virginia Department of Transportation (VDOT) is in the process of acquiring right-of-way necessary for the Fort Eustis Boulevard extension project between Route 17 and Old York-Hampton Highway; and

WHEREAS, two of the parcels needed by VDOT for right-of-way purposes are owned by York County; and

WHEREAS, said parcels were acquired by the County for the specific purpose of accommodating the extension of Fort Eustis Boulevard; and

WHEREAS, in accordance with applicable procedures, VDOT has offered to acquire said

parcels, comprising in combination approximately 1.56 acres, for the sum of \$173,928; and

WHEREAS, the Board finds this to be a fair and equitable offer commensurate with the value of said parcels;

NOW, THEREFORE, BE IT RESOLVED this the 26th day of October, 2004, that the County Administrator be, and he is hereby, authorized to execute the Option Agreement presented by the Virginia Department of Transportation concerning the sale of approximately 1.56 acres of property, identified as Assessor's Parcel Nos. 24-74A and 74B, said property to become part of the right-of-way for the proposed Fort Eustis Boulevard extension project.

BE IT FURTHER RESOLVED that the proceeds of this sale from VDOT be, and hereby are, appropriated in the County Capital Fund.

On roll call the vote was:

Yea:	(5)	Bowman, Burgett, Zaremba, Noll, Shepperd
Nay:	(0)	

COUNTY ATTORNEY REPORTS AND REQUESTS

No County Attorney report was given this evening.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. McReynolds reminded the Board of its schedule for the next two months: November 16 Regular Meeting; November 23 Work Session on the Utility Strategic Capital Plan, Stormwater and the Wayfinding Plan; November 30 Work Session to address Mini-Scooter ordinance; December 7 Regular Meeting; December 14 reception for representatives of Boards and Commissions; and December 21, the last Regular Meeting of the year.

WATER AND SEWER UPDATE

Mr. Hudgins provided the Board with an update on water and sewer projects for the Queens Lake area. He explained that the sewer project should have begun the first quarter of 2003 but was delayed due to Hurricane Isabel and the rebidding of the Marlbank project. He stated the request for proposal went out in September for design firms to design the project, and staff hopes to have the design in place and construction documents completed by April, 2006. Construction will be divided into four phases, with completion expected in 2010. Mr. Hudgins stated staff will conduct a public meeting at Queens Lake to discuss these issues with residents.

Discussion ensued concerning the sewer and water projects for Queens Lake.

Mr. Zaremba asked where the residents of Queens Lake would be voting.

Mr. McReynolds stated he would check with the Registrar and publicize that information.

MATTERS PRESENTED BY THE BOARD

Mrs. Noll thanked Anne Smith and the Zweibrücken team for their efforts in providing the Zweibrücken guests with a wonderful experience while visiting Yorktown. She stated she attended a combined meeting of Virginia Municipal League, the Virginia Association of Counties, and planning commissioners from around the state to discuss transportation strategies. She stated these strategies should be used when trying to discuss transportation with the county's legislators. She spoke of the increase in traffic and the projected increase over the next 20-year period. She urged the citizens to contact their legislators and find out how they intend to solve traffic problems.

Mr. Bowman stated he attended the Guardian Awards presented by the Daily Press and the

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Auto Dealers Association, and he recognized the employees from the Sheriff's Department and the Department of Fire and Life Safety who were honored at the ceremony. He commended Anne Smith and her staff for a great job with the Zweibrücken delegation last week. He also commended the young citizens in the Yorktown Day parade celebration and encouraged everyone to attend the Yorktown Day celebrations in the coming years. He reminded the citizens of the town hall meeting at the Grafton High/Middle School complex for the proposed Boy/Girls Club. He then reminded all of the upcoming election and encouraged everyone to vote.

Mr. Burgett reported on the Yorktown Day celebrations and announced his support for Yorktown Day to become a school holiday. He stated he felt the school children should be able to attend. He also commended Anne Smith and her staff on the great job with the Zweibrücken functions. He stated he enjoyed the employee picnic held on October 6. He represented York County at the Airport Task Force meeting today, and he reported on the growth of the airport. Mr. Burgett stated he also met with Dr. Staples and staff to be updated on what is going on in the schools.

Mr. Zaremba indicated he represents the County on the Colonial Community Criminal Justice Board which is charged with overseeing and monitoring the state of protection to citizens. A meeting will be held on October 29 with the legislators to discuss the funding cuts by the General Assembly. The representatives will try to convince the legislators that they cannot function properly if they continue to decrement such an important board. Mr. Zaremba encouraged all to vote on November 2 and discussed the importance of voting.

Chairman Shepperd provided the Board with the annual report on the Hampton Roads Planning District Commission. He discussed a study of home costs in the County versus the amount of taxes collected to determine if there is a positive tax base for the community. He indicated he attended the Hampton Roads Mayors and Chairs caucus meeting to discuss transportation needs and how to convince other parts of the state to agree on what is needed in Hampton Roads, and he stated more information would be forthcoming concerning transportation matters. He mentioned a letter from Senator Chichester concerning a \$3 million shortfall in the state's budget, stating the deficit is derived from the car tax reimbursement which may ultimately cause a tax increase. He encouraged attendance at the meetings for the proposed Girls/Boys Club, which could be directly affected by the budget shortfall. Mr. Zaremba complimented staff for the successful events planned for the Zweibrücken delegation, and he displayed a sample ballot and encouraged all to vote in the upcoming election.

Mr. McReynolds announced that the voting precinct for the Queens Lake residents will continue to be at Magruder Elementary School.

CONSENT CALENDAR

Mr. Bowman pointed out a discrepancy in the roll call of the October 5 Regular Meeting minutes, Item No. 8, and asked that Mr. Burgett's Nay vote be recorded.

Mrs. Noll moved that the Consent Calendar be approved as amended, Item Nos. 8, 9, 10, 11 and 12 respectively.

On roll call the vote was:

Yea:	(5)	Burgett, Zaremba, Noll, Bowman, Shepperd
Nay:	(0)	

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 8. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

- September 21, 2004, Regular Meeting.
- September 28, 2004, Adjourned Meeting.
- October 5, 2004, Regular Meeting.
- October 13, 2004, Adjourned Meeting.

Item No. 9. APPROVAL OF PROCUREMENT ACTION: Resolution R04-152.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE THE PURCHASE OF VACUUM SEWER VALVES
AND CONTRACTS FOR LANDSCAPE ENHANCEMENTS

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 26th day of October, 2004, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	<u>AMOUNT</u>
Vacuum Sewer Valves	\$31,000
Landscape Enhancement: Public Rights of Way Rt. 171	41,465
Landscape Enhancement: Public Rights of Way Rt. 17	142,545

Item No. 10. REIMBURSEMENT FOR SCHOOL CAPITAL PROJECTS: Resolution R04-153.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF YORK
COUNTY DECLARING ITS INTENT TO REIMBURSE ITSELF FROM
THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS
FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN
CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND
EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS FOR
SCHOOL PROJECTS

WHEREAS, the County of York, Virginia (the "County") is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Board of Supervisors of the County (the "Board") expects to pay or expects that the York County School Board will pay, after the date hereof, certain expenditures (the "Expenditures") in connection with the acquisition, construction, and/or equipping of capital improvements for school projects (the "Project"); and

WHEREAS, the Board has determined that any moneys previously advanced no more than sixty (60) days prior to the date hereof, and those moneys to be advanced on and after the date hereof to pay the Expenditures, are available only for a temporary period and it is necessary to reimburse the County or the York County School Board for the Expenditures from the proceeds of one or more issues of tax-exempt bonds ("Bonds");

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 26th day of October, 2004, as follows:

Section 1. The Board adopts this declaration of official intent under Treasury Regulation Section 1.150-2.

Section 2. The Board reasonably expects to reimburse advances made or to be made by the County or the York County School Board on and after that date which is no more than sixty (60) days prior to the date hereof to pay the Expenditures with respect to the Projects. The maximum principal amount of the Bonds expected to be issued for the Projects is \$12,000,000.

Section 3. The County will make a reimbursement allocation, which is a written alloca-

tion by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than eighteen (18) months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which the Expenditure itself is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain *de minimis* amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five (5) years.

Section 4. This resolution shall take effect immediately upon its passage.

Item No. 11. RESTORATION OF STATE FUNDING FOR PUBLIC SAFETY OFFICES AND PROGRAMS: Resolution R04-155.

A RESOLUTION TO PETITION THE COMMONWEALTH OF VIRGINIA TO RESTORE REVENUE CUTBACKS TO PUBLIC SAFETY SERVICES AND PROGRAMS

WHEREAS, funding for public safety services and programs on the local government level has historically been a partnership between local governments and the Commonwealth of Virginia; and

WHEREAS, the level of funding received from the Commonwealth for public safety services and programs on the local level has been significantly reduced over the past several fiscal years, particularly funds in support of court constitutional offices and regional jails; and

WHEREAS, local governments, in order to avoid placing public safety in jeopardy, have been forced to allocate local revenues to offset the reductions in revenues historically received from the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 26th day of October, 2004, that it does hereby petition the Commonwealth of Virginia to restore the revenue cutbacks made during the past several years and return to the historical partnership between the Commonwealth of Virginia and its local governments for the funding of public safety services and programs.

NEW BUSINESS

ROADSIDE GARBAGE COLLECTION AND TRANSFER STATION

Mr. John Hudgins, Director of Environmental and Development Services, briefed the Board on proposed Resolution R04-154 to authorize the execution of agreements for roadside collection of residential solid waste and for operation and maintenance of the County's transfer station.

Mr. Zaremba expressed concern about the cost of the service.

Discussion ensued concerning cost, services to the citizens, and growth of the operation.

Mr. Burgett then moved the adoption of proposed Resolution R04-154 which reads:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE TWO AGREEMENTS WITH BROWNING-FERRIS INDUSTRIES WASTE SERVICE, LLC., TO COLLECT RESIDENTIAL ROADSIDE GARBAGE AND TO OPERATE AND MAINTAIN THE YORK COUNTY TRANSFER STATION

WHEREAS, the County of York's current agreements with Browning-Ferris Industries Waste Service LLC (BFI) for curbside garbage collection services and operation and maintenance of the County Transfer Station both expire on December 31, 2004; and

WHEREAS, the County issued a request for proposals on July 30, 2004, to procure services on a competitive basis for contracts for roadside garbage collection and for operation

and maintenance of the County's Transfer Station; and

WHEREAS, six different firms responded with written proposals, the selection committee selected two for a formal interview, and after careful consideration, BFI was selected because they had the best proposal.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 26th day of October, 2004, that the County Administrator is, and he hereby is, authorized to execute contracts with BFI for both roadside solid waste collection services and for the operation and maintenance of the York County Transfer Station, each contract to be substantially similar in form to the draft contracts attached to the County Administrator's memorandum of October 14, 2004, such contracts to be approved as to form by the County Attorney.

On roll call the vote was:

Yea	(5)	Zaremba, Noll, Bowman, Burgett, Shepperd
Nay	(0)	

Meeting Adjourned. At 9:27 p.m. Chairman Shepperd declared the meeting adjourned sine die.

James O. McReynolds, Clerk
York County Board of Supervisors

Thomas G. Shepperd, Jr., Chairman
York County Board of Supervisors